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From:
Abhinav Aggarwal
100 Saint Ayers Way
Chapel Hill, NC 27517-2362, USA
USPTO Customer No 59597
Dated: May 6th, 2011

The Commissioner for Patents
PO Box 1450, Alexandria, Virginia 22313-1450
(Kind attn: Mr. Vivek D Koppikar, Examiner, ART Unit 3686)

Dear Mr. Koppikar:

Subject: Application 10/735,333 filing date Dec 12, 2003

Reference: your letter dated 04/19/2011 (Notice of Abandonment).

With reference to your above letter, kindly be informed that I have previously filed a reply wide my letter dated March 4th, 2011, which was sent to your office by Fax.

Apparently your office has not received my letter dated March 4th, 2011, hence the same is enclosed herewith as an ink-signed copy, and this communication is now being sent through US Postal Service.

It is now requested that the notice of abandonment for the subject application may kindly be lifted as it is unintentional, and I may kindly be advised on the further course of action, as requested in the enclosed letter.

Thanks and best wishes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Abhinav Aggarwal".

Dr. Abhinav Aggarwal



From:
Abhinav Aggarwal
100 Saint Ayers Way
Chapel Hill, NC 27517-2362, USA
USPTO Customer No 59597
Dated: March 4th, 2011

The Commissioner for Patents
PO Box 1450, Alexandria, Virginia 22313-1450
(Kind attn: Mr. Vivek D Koppikar, Examiner, ART Unit 3686)

Dear Mr. Koppikar:

Subject: Application 10/735,333 filing date Dec 12, 2003

Reference: your letters dated 01/19/2011 and 10/08/2010.

I am in receipt of your letters under reference above.

Per our last telephone conversation, you have mentioned that your supervisor at USPTO had advised that the subject matter of my application 10/735,333 is non-patentable as it is just a numbering scheme. In this regard, I would like to state the following:

1. This application was filed with USPTO first as a provisional application and subsequently as a regular application.
2. Since then, two CIP applications and one RCE have been filed for this application.
3. Per our dialogs and communications that have been going on over the past several years till date, you had advised me to amend the claims so that these are aligned to be more acceptable. To that extent, the last version of claims was submitted to your satisfaction. You had even acknowledged this in your e-mail.
4. Now, the advise from your supervisor raises a few important questions –
 - a. First of all, if this subject matter was not patentable, then why was I not informed way back in 2003/2004 time frame, after filing of the regular application (date of filing is Dec 12, 2003), and why has USPTO taken so many years to review this application and now come to this conclusion?
 - b. Why were we engaged in amending the claims if these were not patentable?
 - c. Why did we waste several years worth of effort from both my end as well

- d. Would UPPTO reimburse for the amount of effort put in by me and my team towards filing and amending / defending this application all these years?
- 5. As a USPTO customer, who pays for USPTO services, this response from your supervisor is not acceptable to me, and I would like to challenge it -
 - a. First of all, the subject matter of application 10/735,333 is not merely a numbering scheme, but instead it is a comprehensive system designed to verify the identity of each and every human being on the planet in a unique and secure manner, and this base Universal Identification system has multiple applications in the areas of preventing identity theft, eradicating global terrorism, keeping troops safe in enemy territories, keeping patients safe in hospital, patient tracking, monitoring and rescue, human tracking to save lives in any part of the world, credit and debit card transaction verification, preventing child abduction, among several others. I and my co-researcher colleagues have been eagerly awaiting the outcome of this application so that we could pursue further work and research in related application areas.
 - b. 10/735,333 needs to be read in conjunction with CIP applications 12/395,669 (Filing date Mar 1, 2009 with co-inventors Parv Aggarwal and Sarita Aggarwal) and 11/307,487 (Filing date Feb 9, 2006) and looked upon in its totality as a comprehensive system.
 - c. In view of a) and b) above, the subject matter of 10/735,333 is by no means a mere numbering scheme as interpreted by your supervisor.
- 6. I am willing to travel to USPTO office, or any other location to be advised by you and/or your supervisor and have a face to face meeting, make a presentation on the overall comprehensive system that is the subject matter of application numbers mentioned in 5 a), and 5 b) above at your and your supervisor's earliest convenience, or alternately hold a conference call with both of you at my own expense.
- 7. I am also open to apply for a second RCE in case that can potentially turn out to be a positive outcome. It would be useless to apply for an RCE if USPTO has to take the same stand that this subject matter is un-patentable and continue to further waste my and my team's time, effort, money, and energy.

I would await your kind advice before taking any further action in this matter. If you would prefer to discuss over the phone with me, then kindly advise a suitable date and time for a phone interview and a good telephone number to reach you.

Thanks and best wishes.

Respectfully submitted,

Amit Kumar

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